

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL

Wichita, Kansas, April 26, 2005
Tuesday, 1:10 p.m.

The City Council met in special session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Schlapp, Skelton; present. Council Member Martz absent with prior notice.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

UNFINISHED BUSINESS

PLANT SITE

SEWAGE TREATMENT PLANT SITE SELECTION-NORTH CENTRAL. (DISTRICT VI) (Deferred April 19, 2005)

Agenda Report No. 05-0360A.

The updated 2000 Sewer Master Plan calls for the construction of a new sewage treatment facility within the next decade to serve north central Wichita. To construct the facility, the Water & Sewer Department must first acquire an appropriate site. The City hired Professional Engineering Consultants to assist in the identification and evaluation of possible sites.

The City employed a multi-phase approach to identifying an appropriate site. The first phase was an evaluation of sites by a committee composed of City Staff, consulting engineers and citizens appointed by District Advisory Board (DAB) VI. The next phase involved citizen input. A public information fair was conducted on January 25, 2005, to answer citizens' questions and provide an opportunity to present their concerns and comments. Staff then presented the findings of the study and the information fair at the District Advisory Board meeting on March 7, 2005. The technical review, the information fair findings and the DAB recommendation will now be presented to City Council for review and action.

Technical Review

The site selection committee, composed of City staff, consulting engineers and selected members of the District Advisory Board performed a technical review of potential sites in this area. The committee used the following criteria:

- Initial Siting Criteria
 - o Location relative to the drainage basin
 - o Separation from residences
 - o Natural screening
 - o Potential for development
- Secondary Siting Criteria
 - o Additional costs to develop site
 - o Ability to service future development
 - o Permitting issues

Using these criteria, the committee ranked sites 6, 4, and 5 (in this order) highest, based on their technical merits.

Public Information Fair

Staff presented this information to the public at a City sponsored "information fair" on January 25. The information fair was open to all interested parties and was communicated to people in District VI via public announcements and door hangers in the area closest to the proposed sites. Citizens were given the opportunity to discuss with the evaluation committee, other City Staff, state regulators and others, issues and concerns about a sewage treatment facility in the area. The citizens were also asked to provide feedback about site preferences and concerns. Following is some of the feedback regarding site preferences and dislikes with 56 responses received.

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- Most Desirable Site:
- o Site 4 ranked most desirable with 37 respondents indicating it to be one of their most desirable sites
- o 13 respondents indicated that site 6 was the most desirable of the proposed sites
- Least Desirable Site:
- o Site 5 ranked least desirable with 28 respondents indicating that it was their least desired site
- o 21 respondents indicated site 6 was least desirable
- Concerns
- o The top two concerns were odor from 55 respondents and property value from 47 respondents
- o The lowest two concerns were disturbance of recreational areas and loss of parkland receiving 4 and 3 votes respectively

District Advisory Board Presentation

Staff presented DAB VI with the findings from the technical review and from the public information fair and asked the DAB to provide recommendations for preferred sites that Staff could present to the City Council. Because of limited regulatory and property ownership concerns (all preferred sites are currently owned by the City) the DAB recommend only one site. After a period of public comment and some deliberation among members of the DAB, the DAB recommended that a 20-acre site in the northwest corner of Site 4 be presented as the preferred choice. It was mentioned during the public comment period that Site 4 would be developed after being mined for sand. There were conflicting ideas about the type of zoning the land will receive after the mining is complete. Under any zoning classification, the site will require a conditional use permit.

Because the General Fund of the City owns all of the sites, the City Council may direct the Utility to acquire the site in consideration of the land value. Based on recent land sales in the area, Staff believes the land could be valued at \$5,000 per acre.

Financing is available in CIP S-522, Plant Siting Study and Land Acquisition.

City Council approval is required for the purchase of real property.

Motion--

Fearey moved that site number four be selected; Staff directed to acquire the site for future construction of a sewage treatment plant; approve the Master Plan for the Kingsbury site and the necessary signatures authorized. Motion carried 6 to 0, (Martz absent).

--carried

NEW BUSINESS

BOND SERIES 2005A CURRENT REFUNDING OF WATER AND SEWER UTILITY REVENUE BONDS, SERIES 2005A.

Agenda Report No. 05-0394

Kelly Carpenter

Finance Director reviewed the item.

On March 22, 2005, the City Council designated Citigroup to serve as lead underwriter in a negotiated offering of revenue refunding bonds. Since that date, staff has worked to distribute the Preliminary Official Statement and negotiate the details of the sale with the designated lead underwriter.

The plan of financing for the negotiated issue includes the marketing of the 2005A Water and Sewer Utility Revenue Refunding Bonds. Citigroup is acting as the lead underwriter for the bonds that has a current principal amount of \$45,285,000. The marketing of the bonds occurred in Chicago with Citigroup taking orders for bonds from syndicate members and other brokerage houses with offices in Wichita.

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Based on current market conditions, savings totaling \$1.8 million is equal to approximately \$160,000 per year through 2016. The present value savings equals approximately 3% of refunded debt service. The actual savings and present value savings will be identified on the day of the sale.

Bond Counsel has drafted the bond ordinance and resolution needed to execute the issuance of the bonds and has also drawn up the bond purchase agreements for the sale of the bonds to the underwriters as well as the official statement.

Motion--

Mayans moved that the Bond Purchase Agreement be approved; the Bond Ordinance and Resolution adopted and the Mayor authorized to execute the Request for Declaration of Emergency.

--carried

Motion carried 7 to 0.

RECESS

Motion--

Mayans moved that the City Council recess into Executive Session at 1:15 p.m. to consider: Consultation with Legal Counsel on matters privileged in the Attorney-Client relationship relating to: Potential Litigation; Legal Advice and Contract Negotiations and that the Council return from Executive Session no earlier than 1:35 p.m. and reconvene in the First Floor Board Room of City Hall. Motion carried 6 to 0, (Martz absent).

--carried

Motion--

Mayans moved to extend the Executive Session for an additional 15 minutes until 1:55 p.m.

--carried

Motion carried 6 to 0, (Martz absent).

RECONVENE

The Council reconvened at 1:55 p.m. in the First Floor Board Room. Mayor Mayans announced that no action was taken.

Motion--carried

Mayans moved at 1:55 p.m. to close the Executive Session. Motion carried 6 to 0, (Martz absent).

Motion--carried

Mayans moved at 1:56 p.m. to close the Special Meeting. Motion carried 6 to 0, (Martz absent).

Adjournment

The meeting adjourned at 1:56 pm.

Respectfully submitted,

Karen Sublett
City Clerk

Budget Workshop followed in the First Floor Board Room